

Exhibit A

MARC L. WINOGRAD-014261983
Attorney for Plaintiff
244 Grand Avenue
Englewood, New Jersey 07631
(201) 944-2854

-----X		
SPARK INSPIRATION	:	SUPERIOR COURT OF NEW JERSEY
LABORATORY, LLC,	:	LAW DIVISION - BERGEN COUNTY
	:	
Plaintiff,	:	Docket No.:
	:	
-against-	:	Civil Action
	:	
UNITED HEALTHCARE	:	COMPLAINT AND JURY DEMAND
INSURANCE COMPANY,	:	
	:	
Defendant.	:	
-----X		

Plaintiff, Spark Inspiration Laboratory, LLC, with its principal place of business at 37 West Century Road, Paramus, New Jersey 07652, says the following:

FACTS COMMON TO ALL COUNTS

1. Defendant, United Healthcare Insurance Company, is a for profit domestic corporation authorized to conduct business in the State of New Jersey and its headquarters are located at 185 Asylum Street, Hartford, Connecticut 06103.
2. At all times relevant to this Complaint, plaintiff Spark Inspiration Laboratory, LLC performed diagnostic laboratory services and was an out-of-network or non-participating healthcare provider with respect to the defendant.
3. The plaintiff provided medically prescribed services to many patients who were members or beneficiaries or policyholders under healthcare plans sponsored, funded, operated, controlled and/or administrated by the defendant.
4. The foregoing patients assigned their applicable health insurance rights and benefits to the plaintiff.

5. Plaintiff submitted claims to the defendant for payment of the services that it provided.

6. Plaintiff submitted in excess of five hundred (500) claims totaling in excess of \$1,800,000.00 for the services that it provided and these claims have not been paid.

7. Defendant has been made aware and given notice repeatedly regarding the open balance that remains unpaid.

8. Due to defendant's actions, plaintiff has been forced to commence the instant litigation and expend funds retaining counsel in an effort to recoup the \$1,879,519.00 that remains outstanding plus interest and attorney fees.

FIRST COUNT

BREACH OF ASSIGNED CONTRACT

9. Plaintiff incorporates the foregoing paragraphs herein as if set forth at length.

10. Plaintiff has standing to seek such relief based on the assignment of benefits obtained by plaintiff from the patients.

11. Plaintiff is entitled to recover benefits due to the patients under their applicable insurance benefits plans administered by the defendant.

12. Defendant has failed to issue payments under the applicable insurance benefits plans administered by the defendant.

13. As a result, plaintiff has been damaged and continues to suffer damages in the operation of its business.

WHEREFORE, plaintiff demands judgment against the defendant as follows:

- (a) Compensatory damages;
- (b) Attorneys' fees, interest and costs of suit; and
- (c) Any other relief which the Court deems equitable and just.

SECOND COUNT

UNJUST ENRICHMENT

14. Plaintiff incorporates the foregoing paragraphs herein as if set forth at length.

15. As a direct and proximate result of defendant's conduct, defendant has been unjustly enriched and will continue to be unjustly enriched at plaintiff's expense if defendant is allowed to retain the benefits of plaintiff's services without compensating plaintiff for the losses incurred due to defendant's actions.

WHEREFORE, plaintiff demand judgment against the defendant as follows:

- (a) Compensatory damages;
- (b) Attorneys' fees, interest and costs of suit; and
- (c) Any other relief which the Court deems equitable and just.

THIRD COUNT

ACCOUNT STATED

16. Plaintiff incorporates the foregoing paragraphs herein as if set forth at length.

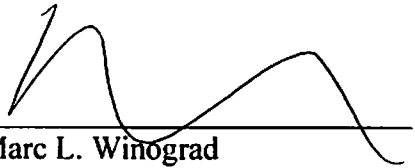
17. Plaintiff provided defendant's policyholders with necessary laboratory services that were prescribed/ordered by the policyholders' doctors.

18. Plaintiff provided the defendant with the required claims and invoices.

19. Plaintiff provided defendant with a statement of the account and has demanded that the balance be paid in full, but defendant has not made payment.

WHEREFORE, plaintiffs demand judgment against the defendant as follows:

- (a) Compensatory damages;
- (b) Attorneys' fees, interest and costs of suit; and
- (c) Any other relief which the Court deems equitable and just.




Marc L. Winograd
Attorney for Plaintiff

Dated: April 21, 2023

JURY DEMAND

Plaintiffs demand trial by jury.




Marc L. Winograd
Attorney for Plaintiff

Dated: April 21, 2023

NOTICE OF OTHER ACTIONS PURSUANT TO 4:5-1

I certify that at this time, and upon information and belief, that the matter in controversy is not the subject of any other action pending in any Court or the subject of any pending arbitration proceeding, and that no other action or arbitration proceeding is contemplated at this time. There are no other parties known to the plaintiffs who should be joined at this time.



Marc L. Winograd
Attorney for Plaintiff

Dated: April 21, 2023

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-002122-23

Case Caption: SPARK INSPIRATION LA BORATORY VS
UNITED HEALTHC

Case Initiation Date: 04/21/2023

Attorney Name: MARC L WINOGRAD

Firm Name: MARC L. WINOGRAD

Address: 244 GRAND AVE

ENGLEWOOD NJ 07631

Phone: 2019442854

Name of Party: PLAINTIFF : Spark Inspiration Laboratory L

Name of Defendant's Primary Insurance Company

(if known): None

Case Type: CONTRACT/COMMERCIAL TRANSACTION

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

**Are sexual abuse claims alleged by: Spark Inspiration Laboratory
L?** NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

04/21/2023

Dated

/s/ MARC L WINOGRAD

Signed

SUPERIOR COURT OF NEW JERSEY
Law Division, Bergen County



239082

AFFIDAVIT OF SERVICE

Index no :BER-L-2122-23

Spark Inspiration Laboratory, LLC

Plaintiff(s),

vs.

United Healthcare Insurance Company

Defendant(s).

STATE OF CONNECTICUT

ss: East Hartford

HARTFORD COUNTY

Christine Foran, the undersigned, being duly sworn, deposes and says that I was at the time of service over the age of eighteen and not a party to this action. I reside in the State of Connecticut.

On 04/26/2023 at 9:00 AM, I served the within Summons and Complaint, Jury Demand, Certifications, Track Assignemtn Notice, Demands on United Healthcare Insurance Company at c/o CT Corporation System, Reg Agent, 67 Burnside Avenue, East Hartford, CT 06108 in the manner indicated below:

CORPORATE SERVICE: By delivering a true copy of each to Gary Scappini, Manager/Managing Agent of the above named corporation. The undersigned asked the recipient if he/she is authorized to accept service on behalf of United Healthcare Insurance Company, and the recipient responded in the affirmative.

A description of the Recipient, or other person served on behalf of the Recipient is as follows:

Sex	Color of skin/race	Color of hair	Age	Height	Weight
Male	Caucasian	Brown/Gray	65	6'3"	205
Other Features:					

Sworn to and subscribed before me on
April 26, 2023
by an affiant who is personally known to
me or produced identification.

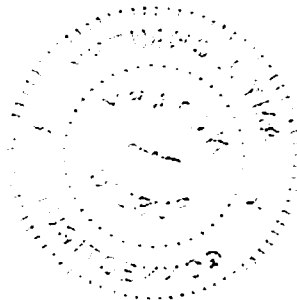
NOTARY PUBLIC

My Commission Expires: _____

X
Christine Foran
Guaranteed Subpoena
2009 Morris Avenue
Union, NJ 07083
1800 672-1952
Atty File#:

AMY J. CHANTRY
NOTARY PUBLIC
My Commission Expires Mar. 31, 2028

2



RECEIVED
JUL 10 2023
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA